

REMARKS

Please cancel Claims 6, 8, 14 and 16 without prejudice. New Claims 17-24 are added herein. Claims 1-5, 7, 9-13, 15 and 17-24 are pending. Claims 1, 4-5, 7, 9, 12-13 and 15 are amended herein. No new matter is added as a result of the claim amendments. Support for the claim amendments can be found at least on page 21, lines 10-15, and on page 24, lines 4-23, of the instant application.

Claim Objections

Claim 16 is canceled, and so a discussion of the objection to Claim 16 is rendered moot at this time.

103 Rejections

The Office Action mailed August 26, 2004, states that Claims 1-5, 7, 9-13 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over “BLUETOOTH – The universal radio interface for ad hoc, wireless connectivity” Ericsson Review No. 3, 1998, by Haartsen (hereinafter, “Haartsen”) in view of U.S. Patent No. 6,421,716 by Eldridge et al. (hereinafter, “Eldridge”). Applicants have reviewed the cited references and respectfully assert that the present invention as recited in Claims 1-5, 7, 9-13 and 15 is not shown or suggested by Haartsen and Eldridge, alone or in combination.

Applicants respectfully submit that neither Haartsen nor Eldridge, nor the combination thereof, show or suggest “presenting a list of mobile computing devices within communications range; receiving a selection of one or more mobile computing devices from the list for a data transfer, the selecting performed by a user; when the selection comprises a single mobile computing device, presenting a graphical user

interface prompting the user to select a wireless communication type selected from the group consisting of an infrared link and a radio frequency (RF) link, and when the selection comprises multiple mobile computing devices, automatically selecting the radio frequency link” as recited in independent Claim 1.

Applicants also respectfully submit that neither Haartsen nor Eldridge, nor the combination thereof, show or suggest “a GUI (graphical user interface) ... operable to present a list of mobile computing devices within communications range, the GUI further operable to receive a selection of one or more mobile computing devices from the list for a data transfer, wherein when the selection comprises a single mobile computing device, a graphical user interface is presented prompting a user to select a wireless communication type selected from the group consisting of an infrared link and a radio frequency (RF) link, and when the selection comprises multiple mobile computing devices, the radio frequency link is automatically selected, and wherein further the first mobile computing device is operable to perform the data transfer to the one or more mobile computing devices using the wireless communication type selected” as recited in independent Claim 9.

The above assertions are implicitly acknowledged on page 7 of the instant Office Action, which states that Haartsen in view of Eldridge does not disclose a menu for enabling either wireless infrared or wireless radio frequency communications.

Flanagan et al. (U.S. Patent No. 6,128,661; hereinafter, “Flanagan”) is cited in the Office Action and so is discussed herein in light of the amended claims. Although Flanagan describes that a user must choose a type of communication link,

Applicants respectfully submit that Flanagan (alone or in combination with Haartsen and Eldridge) does not show or suggest that a type of communication link (e.g., a radio frequency link) is automatically selected when the user selects multiple devices from a list, and that the user is presented with a selection of different types of communication links when the user selects a single device from a list. Therefore, Applicants respectfully submit that Flanagan (alone or in combination with Haartsen and Eldridge) does not show or suggest the limitations of independent Claims 1 and 9 cited above.

Accordingly, Applicants respectfully submit that the basis for rejecting independent Claims 1 and 9 under 35 U.S.C. § 103(a) is traversed, and that these claims are in condition for allowance. Because Claims 2-5, 7, 10-13 and 15 depend from either Claim 1 or 9 and contain additional limitations, Applicants respectfully submit that the basis for rejecting Claims 2-5, 7, 10-13 and 15 under 35 U.S.C. § 103(a) is also traversed, and Claims 2-5, 7, 10-13 and 15 are also in condition for allowance.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-5, 7, 9-13 and 15, as well as new Claims 17-24, overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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